

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

**(Attorney Docket No. 03-637)**

In the Application of: )  
Tom McCarthy, et al. )  
Serial No.: 10/622,146 ) Examiner: Cristina O. Sherr  
Filing Date: July 16, 2003 ) Group Art Unit: 3685  
For: Method and Apparatus for Distributing ) Confirmation No.: 1889  
Media in a Pay Per Play Architecture )  
with Remote Playback )

**APPEAL BRIEF**

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**I. Real Party in Interest**

The real party in interest for the above-referenced application is THE DIRECTV GROUP, INC., 2230 E. Imperial Highway, El Segundo, California 90245.

**II. Related Appeals and Interferences**

Appellants' legal representative is unaware of any other appeals or interferences that will directly affect, be directly affected by, or have any bearing on the Board's decision in the pending appeal.

**III. Status of Claims**

Currently pending are claims 1-13 and 27-40 of which claim 1 is independent and the remainder of the claims are dependent. Claims 14-26, 41-44 and 46-83 were previously withdrawn and claim 45 was previously cancelled. The rejection of Claims 1-13 and 27-40 are being appealed. A clean set of the claims involved in the appeal is attached in the Claims Appendix beginning at page 11.

**IV. Status of Amendments**

No amendments have been filed subsequent to the Final Rejection mailed May 21, 2010.

**V. Summary of Claimed Subject Matter**

**A. Overview**

Applicants' present appealed claims are directed to a system having an interface for purchasing a right to render media content stored at the subscriber location. The system that is the subject of Applicants' currently pending independent claim 1 recites a "discovery service" used to search for stored media content *and to download content* based on a content profile. The discovery service not only searches for content, but

downloads the content to the viewer, even though the content is discovered from a content profile and the user has not specifically requested the programming. Upon the user's purchase of the right to view the program, the already downloaded content is then converted to a renderable state. This saves the user time because the media content the user wishes to enjoy has already been downloaded when the user purchases the right to render.

#### **B. Independent Claim 1**

The elements of independent claim 1 “A system for rendering media content” are listed below, along with the citation to the portion of the specification that support is found.

Support for the first claim element (“a first platform for storing media content at a subscriber location, wherein the media content comprises an unrenderable state due to digital rights associated with the content when received by the first platform”) is found at least at page 7, lines 24-27 of the specification:

The first platform 10 receives and then stores media content in an unrenderable state where appropriate. The unrenderable media content comprises content having digital rights associated with it, and is therefore unrenderable in that it is disabled from viewing until purchased by the viewer.

Support for the second claim element (“a second platform at the subscriber location communicatively coupled with the first platform for rendering the stored media content”) is found at least at page 8, lines 6-10 of the specification.

The second platform 20 is communicatively coupled with the first platform 10 to facilitate rendering of the stored media content. The unrenderable media content becomes renderable, upon purchase by the user.

Support for the third claim element (“a discovery service provided on the first or second platform operable to search for stored media content and to download content

based on a content profile,”) is found at least at page 10, line 23 – Page 11, line 2, and in original claim 16.

the user may receive media content through a discovery process initiated by a discovery service in the first or second platforms or by a service distributor (e.g. the content for pay service provider 101 described below) accessible via a data network 116a. The discovery process may be completely automated using a set of user preferences set or configured by specific users of the service, or it may be performed using manual content searches.

Support for the fourth claim element (“the first and second platforms cooperatively providing an interface for purchasing a right to render the stored media content at least one time”) is found at least at page 7, line 28 to page 8, line 1.

The first and second platforms cooperatively provide an interface for purchasing a right to render the stored media content.

Support for the fifth claim element (“at least one of the first platform and the second platform being operable to convert the stored media content to a renderable state upon the purchase of the right to render”) is found at least at Page 8, line 1.

The second platform 20 is communicatively coupled with the first platform 10 to facilitate rendering of the stored media content. The unrenderable media content becomes renderable, upon purchase by the user.

At least one of the first platform and the second platform may convert the stored media content to a renderable state upon the purchase of the right to render.

### **C. Dependent Claims Argued Separately**

No dependent claims are separately argued for patentability.

### **VI. Grounds of Rejection to be Reviewed on Appeal**

Whether claims 1-13 and 27-40 were properly rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,659,350 (“Hendricks”) in view of EP 1 100 266 A2 (“Gaske”).

## **VII. Argument**

Appellants appeal the rejections of the Final Office Action mailed on May 21, 2010 in which claims 1-13 and 27-40 were finally rejected under 35 U.S.C. § 103(a) as being unpatentable over Hendricks in view of Gaske. The statutory provision 35 U.S.C. § 103(a) provides:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Of the claims being appealed, claim 1 is independent. Claims 2-5, 8, 11, 37, and 40 are dependent on claim 1. Claim 7 is dependent on claim 6. Claim 9 is dependent on claim 8. Claim 10 is dependent on claim 9. Claim 12 is dependent on claim 11. Claim 13 is dependent on claim 12. Claim 38 is dependent on claim 37. Claim 39 is dependent on claim 38. Reasons supporting the separate patentability for each of the above-identified issues are set forth below.

### **A. Applicants' CurrentlyAppealed Claims Discover and Download Content To A User**

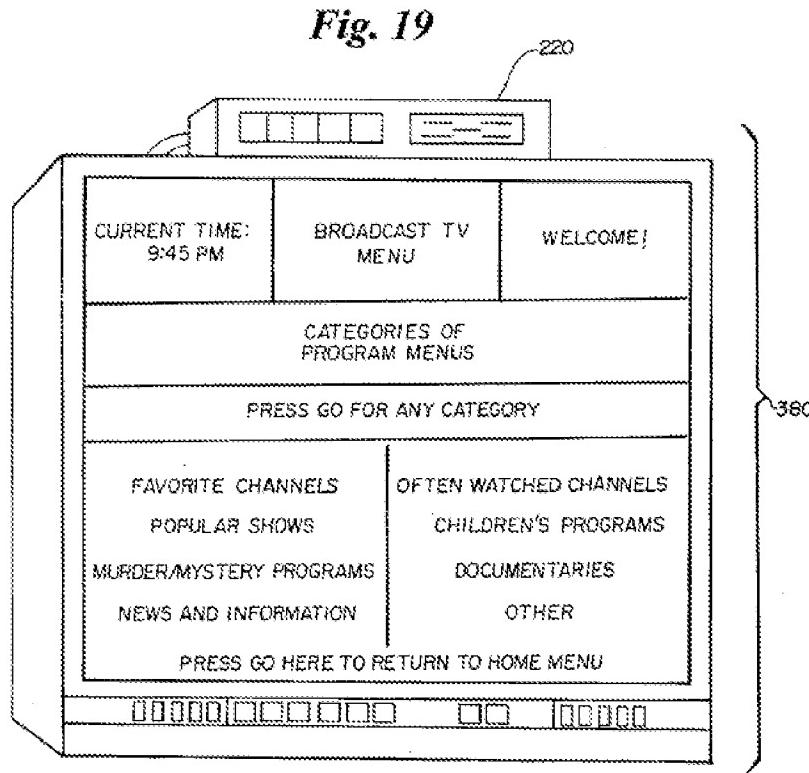
Applicants' independent claim 1 is directed to a system having first and second platforms communicatively coupled and cooperatively providing an interface for purchasing a right to render media content stored at the subscriber location. Applicants' currently claimed embodiments save the viewer time when ordering programs by increasing the chance that the media content the viewer wishes to enjoy has already been downloaded when the viewer purchases the right to render.

According to claim 1, a “discovery service” searches for stored media content “*and to download content*” based on a content profile. The discovery service not only finds content for the user, but downloads the discovered content to the user. The first and second platforms then convert the *already downloaded media content* to a renderable state upon the user’s purchase of the right to render.

**B. The Cited Hendricks Prior Art Creates On-Screen Program Menus For Viewers to Select Programs To Be Watched**

In contrast to Applicants’ current claims, Hendricks creates customized on-screen menus, electronic program guides *from which the viewer can select programs he/she wishes to watch*. As such, Hendricks relies on user-selected programming and does not disclose Applicants’ claimed discovery service that searches for stored media content “and downloads content based on a content profile.”

Hendricks is described as “a particularly useful invention” that “will provide *users with the ability to select programs from on-screen menus.*” Col. 3, lines 11-16. Hendricks “acquires viewer information on programs watched” to create an “individualized program lineup” for the viewer. Col. 3, lines 59-65. It describes “creating menus that are displayed on a subscriber’s television by using an array of menu templates.” Col. 11, lines 3-4. Figures 19-21 show such customized menus with Figure 19 of an on-screen menu from which the viewer can select programming is below.



Thus, Hendricks creates on-screen program menus *that rely on the user to select programming* to be viewed. Hendricks does not disclose, however, a “discovery service” to search for programming content “and download content based on a content profile” as called for by the pending independent claim 1. Hendricks creates menus, but it does not disclose downloading the content. Rather, the content is only downloaded if requested by the viewer selecting the programming to be watched.

**C.     Hendricks Does Not Disclose Applicants’ Claimed “Discovery Service” to Search for Stored Media Content “and to Download Content Based On a Content Profile”**

Hendricks relies entirely on the viewer selecting programming from the on-screen program menus. Hendricks thus does not disclose searching for stored media content and actually downloading the content based on a content profile.

In Hendricks, a program guide of available programming is put together based on user preferences. As discussed above, however, the actual content itself is not

downloaded to the user as in the pending claims. Thus, Hendricks does not have the advantage of Applicants' present claims, i.e., that content is already downloaded to the user to alleviate any delay in downloading before watching the programming.

Because Hendricks relies on user selected programming, it does not disclose Applicants' claimed discovery service that searches for stored media content and "downloads content based on a content profile."

**D. None of the Examiner's Citations to Hendricks Discloses Applicants' Independent Claim 1**

For instance, the Examiner's rejection in the Final Office Action relies on Hendricks as disclosing the claimed "discovery service."

4. Applicant argues, regarding claim 1, as currently amended, that nothing in the cited prior teaches, discloses or suggests "a discovery service, provided on the first or second platform operable to search for stored media content and to download content based on a content profile."

5. Examiner respectfully disagrees. Attention is directed to Hendricks at col 9 ln 66-62. Also, col 15 ln 28-55 col 16 ln 10-22, col 16 ln 36-45.

Final Office Action, May 21, 2010, page 2.

The Examiner's citations to Hendricks (col. 9, lines 62-66, col. 15, lines 28-55 and col. 16, lines 36-45), however, do not disclose Applicants' claimed discovery service that both searches for and downloads content as discussed below.

**1. Column 9 of Hendrick Discloses Modifying a Control Signal In Case of Last Minute Changes to Provide "On the Fly" Operation**

The cited passage of column 9 does not disclose Applicants' claimed discovery service. Rather, column 9, lines 62-66 refer to the network controller 214 that "enables

the delivery system to adapt the specific requirements of the individual set top terminals 220.” It explains that the “network controller 214 is able to respond to the immediate needs of a set top terminal 220 by modifying the program control signal” in order for the network controller 214 to “adapt to the specific requirements of individual set top terminals 220 when the requirements cannot be provided to the operations center 202 in advance.”

The paragraph goes on to explain that this enables “on the fly programming” changes to provide specialized TV services—not a discovery service to search and download content:

In other words, the network controller 214 is able to perform ‘on the fly programming’ changes. With this capability, the network controller 214 can handle sophisticated local programming needs such as, for example, interactive television, split screen video and selection of different foreign languages for the same video.

Col. 9, line 66-col. 10, line 7.

Thus, the cited passage in column 9 of Hendricks does not disclose Applicants’ claimed discovery service to search for and download content based on a content profile.

## **2. Hendrick Column 15 Discloses “Retrieval of Viewer Data” for “Menu Creation,” Not The Claimed Discovery Service**

Similarly, the Examiner’s rejection referring to columns 15 and 16 of Hendricks do not disclose Applicants’ claimed discovery service. Column 15 lines 28-55 refer to “the retrieval of viewer data” obtained “from set top terminals” and “then filtering and presenting the data” in the on-screen menu. Col. 15, lines 32-34. The raw data includes “programs a user purchased and when,” “what channel a specific user watched and for how long.”

The retrieved viewer data is used to calculate “How many viewers watched a particular program,” “Peak viewing times for different categories of shows,” and “Buy rates for particular menu positions.” Col. 15, lines 41-55. This information is then used for “Menu creation, both automatically and manually.” Col. 15, line 51.

Contrary to the Examiner’s citation of column 15, Hendricks does not discuss nor disclose searching and downloading programming content as called for by Applicants’ claims. The cited passage is for “retrieval of viewer data” obtained “from set top terminals” to creating programming menus to display to viewers.

### **3. Hendrick Column 16 Discloses an “Executive Information System” Providing a “Software Tool” For Use by TV Executives**

Similarly, the Examiner’s citation to column 16, lines 36-45 also does not show Applicants’ claimed discovery service. In fact, the cited passage is directed toward an “Executive Information System” to provide high-level television executives “an online software tool that will allow for the real-time evaluation of current product positioning.” Col. 16, lines 35-37. TV executives are provided with “friendly icons” to provide “general information on the current programming sales status” without a “long learning curve and information overload.” Col. 16, lines 35-44. The passage describes how “The graphical tools allow for analysis of current data through the use of multiple graph tool types such as line graphs, bar and pie charts. Col. 16, lines 45-47. It does not disclose a discovery service for downloading program content.

Paragraph 12 of the Final Rejection also argues that Hendricks discloses downloading content based on a content profile, “(e.g., col. 16, lines 45-53). Final Office Action, May 12, 2010, page 4. Again, the cited passage describes the Executive

Information System to enable a television executive to create menus with the appropriate programming mix in the allotted time slots. The cited passage discloses how the menus are created and populated—it does not discuss downloading actual program content.

**E. The Gaske Prior Art Also Does Not Disclose Or Suggest The Claimed Discovery Service**

In addition, the cited Gaske prior art is also absent the claimed “discovery service.” Gaske does not disclose or suggest a service that searches for and downloads content based on a content profile.

As such, because the references, either alone or in combination, do not show all the elements of independent claim 1, claim 1 is allowable. All the remaining pending claims 2-13 and 27-40, being dependent on claim 1, are also allowable as well.

**F. Conclusion**

Applicant has demonstrated that the rejections of claims 29-45 are clearly erroneous for the reasons stated above. Applicant therefore requests reversal of the rejections and allowance of all pending claims in this application.

Respectfully submitted,

Date: March 7, 2011

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## **VIII. Claims Appendix**

1. (Previously Presented) A system for rendering media content comprising:
  - a first platform for storing media content at a subscriber location, wherein the media content comprises an unrenderable state due to digital rights associated with the content when received by the first platform;
  - a second platform at the subscriber location communicatively coupled with the first platform for rendering the stored media content;
  - a discovery service provided on the first or second platform operable to search for stored media content and to download content based on a content profile;

the first and second platforms cooperatively providing an interface for purchasing a right to render the stored media content at least one time; and

at least one of the first platform and the second platform being operable to convert the stored media content to a renderable state upon the purchase of the right to render.
2. (Original) The system of claim 1 further comprising:
  - a distribution server connected to at least one of the first and second platforms and to at least one content source, the distribution server being operable to receive requests for content and to responsively retrieve content from the content sources.
3. (Original) The system of claim 1 further comprising:

a distribution server connected to at least one of the first and second platforms and to at least one content source, the distribution server being operable to track the usage of the content.

4. (Original) The system of claim 1 further comprising:

a distribution server connected to at least one of the first and second platforms and to at least one content source, the distribution server being operable to track the payment of the content.

5. (Original) The system of claim 1 further comprising:

a distribution server connected to at least one of the first and second platforms and to at least one content source, the distribution server being operable to track the commerce of the content.

6. (Original) The system of claim 1, wherein the first platform comprises a digital video recorder device that includes a storage device for storing the media content.

7. (Original) The system of claim 6, wherein the storage device comprises a hard disk drive.

8. (Original) The system of claim 1, wherein the first platform comprises a personal computer that includes a storage device for storing the media content.

9. (Original) The system of claim 8, wherein the storage device comprises an optical storage device.

10. (Original) The system of claim 9, wherein the optical storage device comprises a digital versatile disk (DVD) drive.

11. (Original) The system of claim 1, wherein the unrenderable state comprises a first level of encryption that protects the media content from unauthorized rendering.

12. (Original) The system of claim 11, wherein the media content is contained in a broadcast signal and the unrenderable state comprises a second level of encryption that protects the media content from unauthorized reception and storage.

13. (Original) The system of claim 12, wherein the broadcast is one of an over-the-air broadcast, a cable broadcast, an Internet broadcast and a satellite broadcast.

14. (Withdrawn) The system of claim 1, wherein the first platform comprises a dedicated media storage and serving device comprising:

a storage device for retaining the media content;

a registry including one or more parameters corresponding with functional

attributes of the second platform;

a network interface communicatively coupled to at least one of a media

content source and to the second platform; and

a media content manager that provides for the purchase of the right to render the media content, management of rendering of the media content including enforcing digital rights associated with the media content, and controlling rendering of the media content in accordance with terms of the purchase.

15. (Withdrawn) The system of claim 14 wherein the first platform comprises:
  - a decryptor for decrypting the media content prior to, at least one of rendering the media content with the first platform, and communication of the media content to the second platform; and
  - a transcoder for translating the media from a first format to a second format, the first platform being further operable to render content from the second format.
16. (Withdrawn) The system of claim 15 wherein the first platform comprises:
  - a discovery service operable to search for content and to download content based on a content profile.
17. (Withdrawn) The system of claim 1, wherein the first platform comprises an encryptor that encrypts the media content prior to communication of the media content to the second platform and the second platform comprises a corresponding decryptor that decrypts the encryption of the media content performed by the first platform prior to rendering the media content.

18. (Withdrawn) The system of claim 1, wherein the second platform comprises:
- a media rendering device;
  - a local discovery service that communicates with the first platform to determine composition of the media content;
  - a media communication interface for communicating with the first platform;
  - a guide renderer for displaying a list of titles corresponding with portions of the media content that the media rendering device can render; and
  - a decoder that converts the media content from an encoded format to a format that corresponds with the media rendering device.
19. (Withdrawn) The system of claim 1, wherein the media content is received via one or more of the Internet, an over-the-air transmission, a cable television transmission, a digital satellite system transmission, and an optical storage media.
20. (Withdrawn) The system of claim 1, wherein the second platform comprises a multiple format digital versatile disk player.
21. (Withdrawn) The system of claim 1, wherein the second platform comprises a personal audio player.

22. (Withdrawn) The system of claim 1, wherein the second platform comprises a high-definition television.
23. (Withdrawn) The system of claim 1, wherein the second platform comprises a digital audio receiver.
24. (Withdrawn) The system of claim 1, wherein the second platform comprises a digital video recorder.
25. (Withdrawn) The system of claim 1, wherein the second platform comprises an audio/video device comprising a decoder for converting the media content from an encoded format to a decoded, renderable format.
26. (Withdrawn) The system of claim 1, further comprising a router/network hub that operatively connects the first platform and the second platform.
27. (Withdrawn) The system of claim 26, wherein the router/network hub receives information from the Internet comprising an electronic program guide, wherein the information from the Internet is communicated to at least one of the first platform and the second platform.

28. (Withdrawn) The system of claim 27, wherein the information from the Internet is received over one of a digital subscriber line, a data-over-cable system, a dial-up connection and a satellite connection.

29. (Withdrawn) The system of claim 26, wherein the operative connection comprises a packet-based data network.

30. (Withdrawn) The system of claim 26, wherein the operative connection comprises a wireless connection.

31. (Withdrawn) The system of claim 30, wherein the wireless connection comprises a wireless connection in accordance with the IEEE 802.11 standard.

32. (Withdrawn) The system of claim 26, wherein the operative connection comprises a firewire connection in accordance with the IEEE 1394 standard.

33. (Withdrawn) The system of claim 1, further comprising a rendering controller that provides for modifying the manner in which the media content is rendered, wherein the rendering controller is implemented with at least one of the first platform and the second platform.

34. (Withdrawn) The system of claim 33, wherein the rendering controller provides for:

stopping rendering of the media content;

pausing rendering of the media content;

returning to a previously rendered point of the media content and resumption of rendering from the previously rendered point;

resuming rendering of the media content after stopping or pausing; and

skipping portions of the media content and resuming rendering of the media content from a point that occurs later in the media content.

35. (Withdrawn) The system of claim 34, wherein resuming rendering of the media content comprises resuming rendering using the second platform when rendering of the media content was paused or stopped on the first platform.

36. (Withdrawn) The system of claim 1, wherein the media content comprises:

audio content; and

combined audio /video content.

37. (Original) The system of claim 1, wherein the media content is stored on the first platform in a compressed format.

38. (Original) The system of claim 37, wherein the compressed format comprises a format in accordance with one of the MPEG-1 standard, the MPEG-2 standard and the MPEG-4 standard.

39. (Original) The system of claim 38, wherein the compressed format comprises a compressed audio format in accordance with layer 3 of the MPEG-1 standard.

40. (Original) The system of claim 1, wherein the first platform comprises:

- a digital video recorder having a storage device for retaining, at least a portion, of the media content;
- a personal computer operatively coupled with the digital video recorder, wherein the personal computer provides for:
  - the purchase of the right to render the media content;
  - management of rendering of the media content including:
    - enforcing digital rights associated with the media content; and
    - controlling rendering of the media content in correspondence with terms of the purchase.

41. (Withdrawn) A system for rendering media content on a pay-per-play basis comprising:

- a first platform at a subscriber location having at least one input device for receiving media content for purchase from a content source, wherein the received content comprises encrypted and encoded information that is unrenderable due to digital rights associated with the received content;
- a discovery service operable to search for and download media content based on a content profile;

a storage device operatively coupled with the first platform, wherein the storage device retains the received content;

a second platform at a subscriber location operatively coupled with the first platform and the storage device, wherein the second platform comprises an interface for purchasing the digital rights to render the received content; and

wherein the first platform communicates the received content to the second platform, and the second platform renders the received content when purchased.

42. (Withdrawn) The system of claim 41, wherein the input device of the first platform comprises a cable receiver.

43. (Withdrawn) The system of claim 41, wherein the input device of the first platform comprises a digital satellite receiver.

44. (Withdrawn) The system of claim 41, wherein the input device of the first platform comprises an over-the-air television receiver.

45. (Cancelled)

46. (Withdrawn) The system of claim 41, wherein the input device comprises a router/hub coupled with the Internet.

47. (Withdrawn) The system of claim 41, wherein the first platform comprises a digital video recorder.

48. (Withdrawn) The system of claim 41, wherein the first platform comprises a personal computer.

49. (Withdrawn) The system of claim 41, wherein the received content comprises a first layer of encryption to protect the received content from unauthorized rendering and a second layer of encryption to prevent unauthorized reception and retention of the received content.

50. (Withdrawn) The system of claim 41, wherein the received content is encoded in a compressed format.

51. (Withdrawn) The system of claim 50, wherein the compressed format comprises a format in accordance with one of the MPEG-1 standard, the MPEG-2 standard and the MPEG-4 standard.

52. (Withdrawn) The system of claim 51, wherein the compressed format comprises a compressed audio format in accordance with layer 3 of the MPEG-1 standard.

53. (Withdrawn) The system of claim 41, wherein the storage device comprises a hard disk drive.

54. (Withdrawn) The system of claim 41, wherein the storage device comprises an optical storage device.

55. (Withdrawn) The system of claim 54, wherein the optical storage device comprises a digital versatile disk drive.

56. (Withdrawn) The system of claim 41, wherein the second platform implements the interface for purchasing the right to render the received content in cooperation with the first platform.

57. (Withdrawn) The system of claim 41, wherein the first platform comprises:

- a decryptor that decrypts the media content;
- a decoder that decodes the media content; and
- a transcoder that converts the media content from a first format that is not renderable by the second platform to a second format that is renderable by the second platform and communicates the media content to the second platform.

58. (Withdrawn) The system of claim 57, wherein the first platform further comprises an encryptor for encrypting the media content prior to communicating the media content to the second platform; and wherein the second platform further comprises a decryptor for decrypting the media content as encrypted by the first platform.

59. (Withdrawn) The system of claim 41, wherein the second platform comprises:
- an audio/video device including a decoder for converting the media content from an encoded format to a decoded, renderable format.
60. (Withdrawn) A system for rendering media content comprising:
- a media server comprising:
- a device for receiving unrenderable media content from one or more content sources;
- a storage device for retaining the media content;
- a content management sub-system that provides for purchase of the right to render the media content at least one time by converting the content to a renderable format, management of the rendering of the media content including enforcing digital rights associated with the media content, and controlling rendering of the media content in correspondence with terms of the purchase;
- and
- a client device that is operatively coupled with, and discoverable by, the media server, wherein the client device comprises:
- a rendering device;
- a decoder for translating the media content from a first format to a second format, wherein the media content is communicated to the rendering device in the second format for playback;

a discovery sub-system that determines a subset of content playable by the rendering device within the unrenderable content contained on the media server; and

a content guide display that lists the subset of content;  
wherein the media server and the client device cooperatively implement an interface to allow purchase of protected content and rendering of previously purchased content in correspondence with terms of a previous purchase using at least one of the media server and the client device.

61. (Withdrawn) A media server comprising:
  - a dedicated media storage and serving device for retaining a plurality of units of media content;
  - a client platform manager including one or more parameters corresponding with functional attributes of at least one client platform;
  - a media communication interface communicatively coupled to at least one media content source and to the client platform; and
  - a media content manager that provides for the purchase of the right to render the media content.
62. (Withdrawn) The media server of claim 61 further comprising:

an asset manager to manage the rendering of the media content including enforcing digital rights associated with the media content, and controlling rendering of the media content in accordance with terms of the purchase.

63. (Withdrawn) The media server of claim 61 further comprising:
  - a discovery service operable to perform network searches for content in accordance with at least one user preference.
64. (Withdrawn) The media server of claim 63 wherein the discovery service operates in accordance with a content pay service provider protocol to communicate user preferences with a content pay service provider wherein the discovery service requests content in accordance with the user preference.
65. (Withdrawn) The media server of claim 61 further comprising a content directory containing a user interface operable to display content stored in the dedicated media storage.
66. (Withdrawn) The media server of claim 65 wherein the content directory further comprises a purchase mechanism operable to input a user media selection for purchase, to communicate a purchase transaction with a content pay service provider connected to the data network, and to enable rendering of the selected media.

67. (Withdrawn) The media server of claim 66 further comprising a decrypter operable to decrypt the selected media upon completion of the purchase transaction.

68. (Withdrawn) The media server of claim 61 further comprising a decypter operable to decrypt content received from the at least one client platform.

69. (Withdrawn) The media server of claim 61 further comprising a media rendering function operable to render media selected for rendering on a rendering device.

70. (Withdrawn) A media client comprising:

a media rendering device interface operable to communicate send renderable media to a media rendering device;

a local discovery service that communicates with a media server to determine availability of media content that may be purchased by a user and made renderable upon completion of a purchase transaction;

a media communication interface for communicating with the media server; and

a decoder that converts the media content from an encoded format to a format that corresponds with the media rendering device.

71. (Withdrawn) The media client of claim 70 further comprising:

a content directory for displaying a list of titles corresponding with units of the media content that the user may purchase and thereby send to the media rendering device to render.

73. (Withdrawn) The media client of claim 70 further comprising:

a client manager operable to generate a user interface that displays at least one title available for purchase and a query to perform a purchase transaction, the client manager further being operable to convert the unrenderable media to a renderable format.

74. (Withdrawn) The media client of claim 73 further comprising a decryptor operable to decrypt encrypted media content upon completion of the purchase transaction, the decryption producing a renderable format.

75. (Withdrawn) The media client of claim 70 further comprising a decoder/decompressor operable to convert the media in the renderable format to a media signal compatible with the rendering device.

76. (Withdrawn) A method for rendering media content on a pay-per-play basis comprising:

receiving media content with a first device, wherein the media content comprises at least one level of content unrenderability;  
storing the media content locally;

displaying a content guide comprising a listing describing the unrenderable media content;

receiving a request to purchase a rendering right for the protected media content, the request being generated from the content guide;

removing a first level of content unrenderability;

rendering the media content at least one time, wherein at least a part of the media content is rendered on a second device.

77. (Withdrawn) The method of claim 76, further comprising removing a second level of content unrenderability after receiving the media content and prior to storing the media content.

78. (Withdrawn) The method of claim 76, further comprising decoding and decompressing the media content prior to rendering the media content.

79. (Withdrawn) The method of claim 76, further comprising transcoding the media content from a first format to a second format prior to rendering the content, such that the transcoded media content is renderable by a selected rendering device.

80. (Withdrawn) The method of claim 76, wherein removing the first level of content unrenderability comprises decrypting the media content.

81. (Withdrawn) The method of claim 76, wherein removing the first level of content unrenderability comprises unlocking a data file including the media content.

82. (Withdrawn) The method of claim 76, wherein rendering the media content on the second device comprises providing a media content stream from the first device to the second device.

83. (Withdrawn) The method of claim 76, further comprising, prior to rendering the media content:

removing the first level of content unrenderability with the first device;  
encrypting the media content with the first device;  
communicating the media content from the first device to the second device as an encrypted media stream; and  
decrypting the encrypted media stream with the second device.

## **IX. Evidence Appendix**

This appendix does not contain any additional evidence.

**X. Related Proceedings Appendix**

None.